S.B.Cr.Misc. Second Bail Appl. No.4173/2007

(Rehman & Anr. Vs. State of Rajasthan)

Date of order : August 30, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Shambhoo Singh, for the petitioners.

Mr.Ashok Upadhyaya, Public Prosecutor.

This is second bail application. The first bail application came to be dismissed while the matter was at the investigation stage. However, a liberty was granted to the petitioners to file a fresh bail application soon after filing of the challan.

Learned counsel for the petitioners submits that the challan has now been filed. He has placed on record the challan papers.

It is contended by the learned counsel for the petitioners that the allegation of demand of dowry i.e. a sum of Rs.25,000/- cash is against Anwar husband of deceased. So far as present petitioners are concerned, they are father-in-law and mother-in-law.

I have carefully gone through the statement of father of

the deceased, wherein, it is alleged that petitioners used to harass the deceased but such harassment was not in relation to demand of dowry.

Having heard learned counsel for the petitioners and looking to the facts and circumstances of the case, without commenting of the merit of the case and the fact that the demand of dowry is against husband of deceased, co-accused Anwar and the case of the present petitioners is distinguishable from that of co-accused Anwar, I consider it just and proper to enlarge the accused petitioners on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and petitioners Rehman s/o Shri Ramju and Smt. Sugara w/o Rahman be released on bail in FIR No.134/2007, P.S. Choti Sadari, Distt. Chittorgarh provided each of them furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his/her appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-